

BOARD OF APPEAL REFERRALS

March 15, 1979

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MEMORANDUM

MARCH 15, 1979

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 3/20/79

Z-4339
Oster Development Corp.
1291-1305 Dorchester Avenue
Dorchester
At Lyon Street

One-story masonry structure

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business <u>L-1</u>	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from stores, offices, assembly of storm doors and windows to offices, sales and service of electronic equipment, light manufacturing, repair shop garage.

Violation(s):

Section

Required

Proposed

- 8-7. Manufacturing and repair of electronic equipment is forbidden in an L-1 District.
- 8-7. Repair shop garage is conditional in an L-1 District.
- 9-2. Change in a non-conforming use requires Board of Appeal hearing.

Staff supports offices and repair garage uses. AAMCO is presently operating at site. Partial demolition of one-story on Lyon Street would provide space for additional parking. No opposition to this phase of proposal. However, appellant has not submitted sufficient information re manufacturing and electronic uses. There are no prospective tenants nor letters of intent. Recommend denial of manufacturing and electronic uses and approval with proviso of office and garage uses.

VOTED: In reference to Petition Z-4339, brought by Oster Development Corp., 1291-1305 Dorchester Avenue, Dorchester, for a forbidden use. a conditional use and change in a non-conforming use for change of occupancy from stores, offices, assembly of storm doors and windows to offices, sales and service of electronic equipment, light manufacturing, repair shop garage in a Local Business (L-1) District, the Boston Redevelopment Authority recommends denial of manufacturing and electronic uses and approval of garage and office uses with proviso that plans inclusive of landscaping be submitted to the Authority for design review. Appellant has not submitted sufficient information re manufacturing and electronic uses. There are no prospective tenants nor letters of intent.



Z-4339
1291-1305 DORCHESTER
AVE.
(DOR.)

Board of Appeal Referrals 3/15/79

Hearing: 3/27/79

Z-4348

Melvin C. Cooper, Jr.
 24 Millmont Street, Roxbury
 Near Highland Street.

Three-story structure

District(s): apartment H-1 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from three-family dwelling to
 four apartments.

Violation(s):

SectionRequiredProposed

8-7. Any dwelling converted for more families which
 does not meet the requirements for lot area and
 open space is forbidden in an H-1 District.

14-2. Lot area is insufficient.

17-1. Open space is insufficient.

Vacant, abandoned structure purchased from City will be rehabilitated.
 Nearby park facility mitigates open space deficiency. No opposition.

Recommend approval.

VOTED: In reference to Petition Z-4348, brought by
 Melvin C. Cooper, Jr., 24 Millmont Street,
 Roxbury, for a forbidden use and two variances
 for a change of occupancy from three family
 dwelling to four apartments in an apartment
 (H-1) District, the Boston Redevelopment
 Authority recommends approval. Nearby city park
 facility mitigates open space deficiency.

[illegible]

Board of Appeal Referrals

3/15/79

Hearing: 4/3/79

Z-4352

Nickel Realty Trust

73-79 State Street and

2-6 Kilby Street, Boston

Parking Lot

District(s):	apartment_____	general business B-10_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Use premises for outdoor parking of
19 cars for fee and Fotomat booth.

Violation(s):

Section

Required

Proposed

6-1. In variance with previous decision of Board of Appeal.

In 1975 the Board of Appeal, with Authority concurrence, granted conditional use terminating April 1, 1979. Staff is amenable to continuation of use for additional four years. Recommend approval with proviso.

VOTED: In reference to Petition Z-4352, brought by Nickel Realty Trust, 73-79 State & 2-6 Kilby Streets, Boston, for a variance to use premises for outdoor parking of 19 cars for fee and Fotomat booth in a General Business (B-10) District, the Boston Redevelopment Authority recommends approval with proviso that the conditional use terminate April 1, 1983.

Z-4352
73-79 STATE ST.
2-6 KILBY ST.
(B.R.)

Board of Appeal Referrals 3/15/79

Hearing: 4/3/79

Z-4353

Trustees of Mt. Vernon Realty Trust
40-42 Mt. Vernon St., Boston
at Walnut Street

4½ story structure

District(s): apartment H-2-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from 12 apartments and
offices to 14 apartments.

Violation(s):

Section

Required

Proposed

8-7. Any dwelling converted for more families which
does not meet the requirements of open space
is forbidden in an H-2-65 District.

17-1. Open space is insufficient.

Proposal will strengthen the residential character of
the neighborhood. Beacon Hill Civic Association's Planning
and Zoning Committee indicates support. Recommend approval.

VOTED: In reference to Petition Z-4353, brought
by Trustees of Mt. Vernon Realty Trust,
40-42 Mt. Vernon Street, Boston, for a
forbidden use and a variance for a change
of occupancy from 12 apartments and offices
to 14 apartments in an Apartment (H-2-65)
District, the Boston Redevelopment Authority
recommends approval. Proposal will strengthen
residential character of neighborhood.



Z-4353
40 MT. VERNON ST.
(B.P.)

Board of Appeal Referrals

3/15/79

Hearing: 4/3/79

Z-4367

Paul F. Hannon

0 Dow Road, West Roxbury

near Cutter Road

8214 square feet of land.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family S-.5 manufacturing _____

Purpose: Erect one-family dwelling.

Violation(s):

Section

Required

Proposed

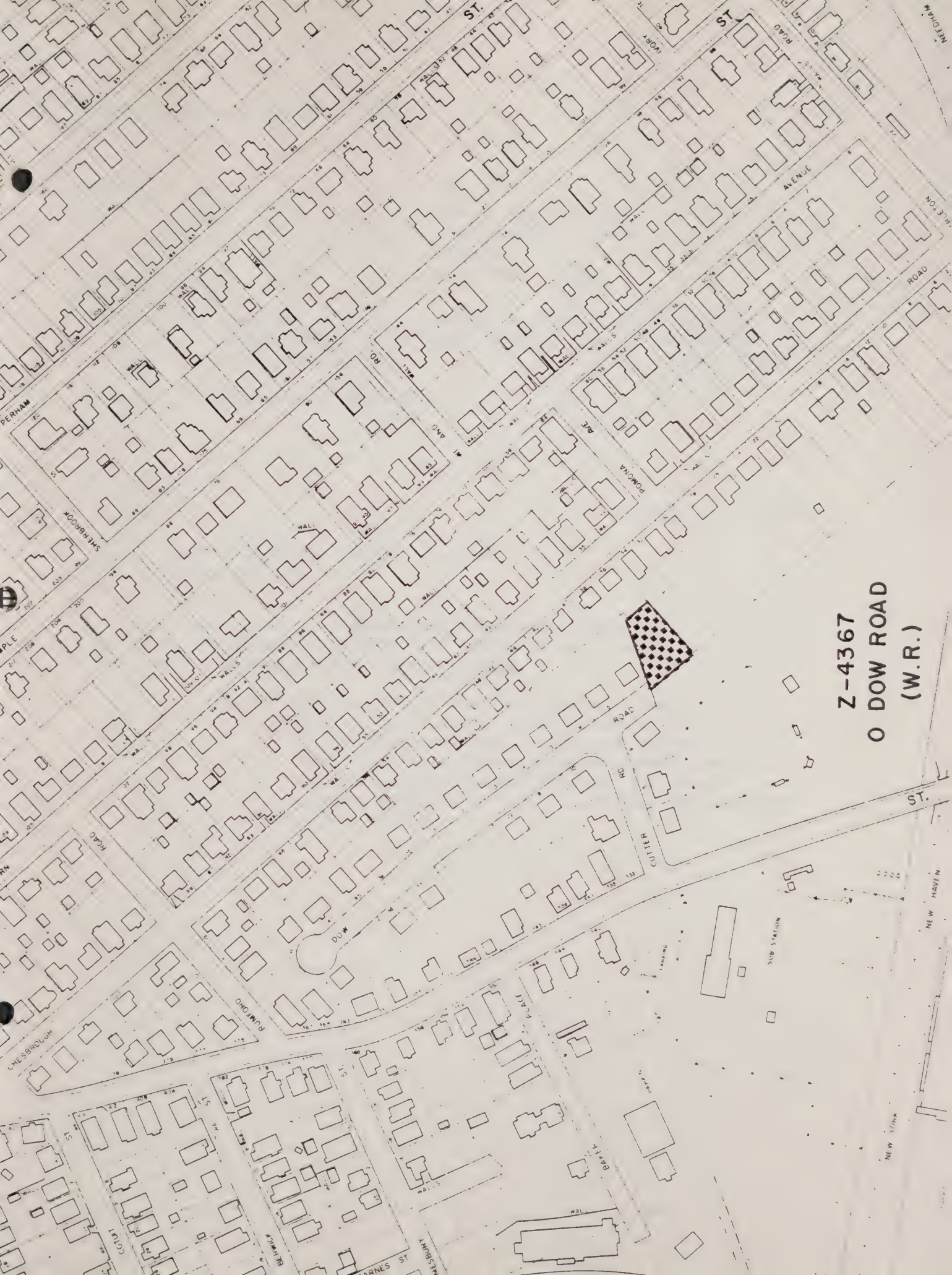
14-4 Street frontage is insufficient

60 ft.

15 ft.

Proposal is consistent with single family residential nature of neighborhood. Recommend approval.

VOTED: In reference to Petition
Z-4367, brought by Paul
F. Hannon, 0 Dow Road,
West Roxbury, for a variance
to erect a one-family dwelling
in a Single Family (S-15)
District, the Boston Redevelopment
Authority recommends approval.
Proposal is consistent with single
family residential nature of
neighborhood.



Z-4367
O DOW ROAD
(W.R.)

Board of Appeal Referrals 3/15/79

Hearing: 4/3/79

Z-4372
Rosalyn Realty Trust
16-18 Kingston Street
Boston
Near Summer Street

Parking Lot

District(s):	apartment_____	general business <u>B-10</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Continue use of parking lot.

Violation(s):

Section

Required

Proposed

6-1. At variance with previous Board of
Appeal decision.

Current conditional use, approved by Authority, terminates
April 30. Staff has no objection to continuance for additional
two years. Recommend approval with Proviso.

VOTED: In reference to Petition Z-4372, brought by
Rosalyn Realty Trust, 16-18 Kingston Street,
Boston, for a variance to continue use of
parking lot in a General Business (B-10) District,
the Boston Redevelopment Authority recommends
approval with proviso that conditional use terminate
April 30, 1981.



Z-4372
16-18 KINGSTON ST.
(B.P.)

Board of Appeal Referrals 3/15/79

Hearing: 4/3/79

Z-4374

Michael B. Moskow
 1275-1283 River Street &
 1253-1263 Hyde Park Avenue
 Hyde Park

Two-story masonry structure.

District(s):	apartment_____	general business B-1_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from restaurant, stores and
 offices to restaurant, store, offices, office
 for driver training.

Violation(s):

SectionRequiredProposed

8-7. School for driving education is conditional in a
 B-1 District.

Hyde Park Auto School occupies first floor of premises..
 This petition would allow driver education classroom on
 second floor. Municipal parking lots are in close proximity
 to site. Recommend approval.

VOTED: In reference to Petition Z-4374, brought
 by Michael B. Moskow, 1275-1283 River Street
 & 1253-1263 Hyde Park Avenue, Hyde Park, for
 a conditional use for change of occupancy
 from restaurant, stores & offices to
 restaurant, store, offices, office for driver
 training in a General Business (B-1) District,
 the Boston Redevelopment Authority recommends
 approval. Driver education classroom essential.
 Municipal parking lots are in close proximity
 to site.



Z-4374
1275 -1283 RIVER ST
1253 -1263 HYDE PARK AVENUE
(H.P.)

Board of Appeal Referrals

3/15/79

Hearing: 3/20/79

Z-4376

Anthony Wine

268 Newbury Street

Near Gloucester Street

Three-story brick structure

District(s): apartment _____ general business B-4-70 industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from Lodging House (12) to
 Lodging House (12), retail store, restaurant with
 outdoor dining area.

Violation(s):

SectionRequiredProposed

8-7. Sale over the counter of on premises prepared
 food or drink for off premises consumption or for
 on premises consumption if, as so sold, such food
 or drink is ready for take out, is conditional in a
 B-4-70 District.

Restaurant facility would be consistent with existing uses in
 this residential - commercial Area. Back Bay Neighborhood
 Association has indicated support. Recommend approval with provisos.

VOTED: In reference to Petition Z-4376, brought
 by Anthony Wine, 268 Newbury Street, Boston,
 for a conditional use for change of occupancy
 from lodging house to lodging house, retail
 store and restaurant in a General Business (B-4-70)
 District, the Boston Redevelopment Authority
 recommends approval with the following provisos: that
 the hours of operation be from 11 am to 10 pm for
 lunch and dinner patrons only; patio service to
 terminate at 9 pm; that malt and wine be served only
 in conjunction with service of food; that trash
 and refuse be removed from premises at least once
 daily; that appropriate grease traps and trash
 compactor be installed; that there be regular and
 frequent spraying to eliminate roach and rodent
 hazards; that the appellant give notice to Board of
 Appeal of any transfer of ownership.

Z-4376
268 NEWBURY ST.
(B.P.)



Board of Appeal Referrals 3/15/79

Hearing: 4/3/79

Z-4377

Albert H. Slotnick

132 Granite Avenue

Dorchester

at Hilltop Street

One-story metal structure.

District(s): apartment _____
 residential R-.5
 single family _____

general business _____
 local business _____

industrial _____
 waterfront _____
 manufacturing _____

Purpose: Change occupancy from retail store to sale of
 automotive parts and accessories; combine lots.

Violation(s):

SectionRequiredProposed

9-2. Change in a non-conforming use requires Board
 of Appeal hearing.

Petitioner would relocate his present operation on Adams Street
 to site. Cedar Grove Civic Association supports proposal.

Recommend approval with provisos.

VOTED: In reference to Petition Z-4377, brought by Albert H. Slotnick, 132 Granite Avenue, Dorchester, for change in a non-conformance use for change of occupancy from retail store to sale of automotive parts and accessories in a Residential (R-.5) District, the Boston Redevelopment Authority recommends approval with the following provisos: that the use extend only to petitioner; that the parking lot be repaved; that a fence of suitable design be erected along abutting Lenoxdale Avenue residential property line and along Lenoxdale Avenue to corner of Hilltop Street; all entrances and exits to parking lot be from Hilltop Street only; that lighting be provided for parking lot and designed to shine downward and away from street and residences; that there be no installation of auto parts on premises by employees or customers; that building be repainted; that plans, including landscaping, be submitted to the Authority for design review.



Z-4377
132 GRANITE AVE.
(DOR.)

Hearing: 3/27/79

Z-4380 - 4383

William J. & Helen D. Joyce

Maurice F. & Ita L. Joyce

John D. & Beverly Moore

Four vacant lots.

37-38-41-45 Hillcroft Road

Jamaica Plain,
near Centre St.District(s): apartment _____
residential _____
single family S-.3general business _____
local business _____industrial _____
waterfront _____
manufacturing _____

Purpose: Erect four one-family dwellings.

Violation(s):

SectionRequiredProposed

14-1. Lot area is insufficient.

9000 sf.

8540 sf
8102 sf
8531 sf

14-3. Lot width is insufficient.

70 ft.

65 ft.
65 ft.

14-4. Street frontage is insufficient.

70 ft.

20 ft.
20 ft.
0 ft.

20-1 Rear yard is insufficient.

40 ft.

24 ft.
20 ft.

Proposal is consistent with single family neighborhood. Lots are generally larger than others in area. Recommend approval with provisos.

VOTED: In reference to Petitions Z-4380-4383, brought by William J. & Helen D. Joyce, Maurice F. & Ita L. Joyce, John D. & Beverly Moore, 37-38-41-45 Hillcroft Road, Jamaica Plain, for eleven variances to erect four one family dwellings in a single family (S-.3) District, the Boston Redevelopment Authority recommends approval with the following provisos: That all trees over 8" caliper be retained wherever possible; that plans be submitted to the Authority for design review.



MURRAY
CIRCLE

MONASTERY
OF SAINT CLAIRE

ARNOLD
ARBORETUM
ADMIN BLDG

ARBORETUM

ARNOLD
Z-4380-83
37-38-41-45 HILLCROFT ROAD
(J.P.)

ADAMS NERVINE
HOSPITAL

ADAMS
HOUSE